

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

NICHOLAS M. MOSS,

Petitioner,

vs.

ROB JEFFREYS,

Respondent.

8:20CV474

MEMORANDUM AND ORDER

This matter is before the Court on its own motion. Respondent noted in his designation of state court records that several of the original trial exhibits, consisting of colored photographs and CDs, were not filed with the state court record but noted that “[c]opies of these exhibits can be made and filed if this Court so orders.” [Filing No. 10 at 2 n.1](#). In its brief in opposition to Petitioner’s motion to supplement the record currently pending before this Court, Respondent further described the unfiled exhibits as: “Exhibits 17 through 32, 34, 35, and 38, which are photographs, and Exhibits 33 and 36, which are CD/DVDs of hotel surveillance video and the 911 call recording.” [Filing No. 51 at 1](#).

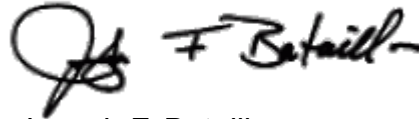
Upon consideration, the Court directs Respondent to file copies of all previously unfiled trial court exhibits for the Court to consider along with the Petition, Answer, the parties’ briefs, other state court records on file, and Petitioner’s pending Motion to Supplement the Record.

IT IS THEREFORE ORDERED that:

1. By **September 3, 2024**, Respondents shall file with the Court a supplemental designation of state court records to include copies of all previously unfiled trial exhibits as identified in the designation of state court records. [Filing No. 10 at 2 n.1.](#)
2. The Clerk of the Court is directed to set a pro se case management deadline in this case using the following text: **September 3, 2024**: deadline to file supplemental designation of state court records.

Dated this 1st day of August, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", with a stylized flourish at the end.

Joseph F. Bataillon
Senior United States District Court